

10 JO FAY, et al.,

No. C 05-01481 CRB

11 Plaintiffs,

C 04-03588 CRB

12 v.

ORDER OF DISMISSAL

13 UNITED STATES OF AMERICA,

14 Defendant.

15 _____ /
16 The parties hereto, by their counsel, having advised the Court that they have agreed to a
17 settlement of this case,

18 IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided,
19 however, that if any party hereto shall certify to this Court, within thirty days, with proof of service
20 of a copy thereon on opposing counsel, that the agreed consideration for said settlement has not been
21 delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to
22 the calendar to be set for trial.
23

24 Dated: September 28, 2006



25 CHARLES R. BREYER
26 UNITED STATES DISTRICT JUDGE
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